


OCT 25 2004

PATENT APPLICATION

FEE AUTHORIZATION TRANSMITTAL LETTER				Attorney's Docket No: 2623-B		
Serial No. 09/488,728	Filing Date January 20, 2000	Examiner D. Jiang	Group Art Unit 1646			
In Re Application of Anthony B. Truitt						
For METHOD OF REGULATING NITRIC OXIDE PRODUCTION						
TO THE COMMISSIONER FOR PATENTS:						
<input type="checkbox"/> Applicant(s) request(s) the following extension of time under 37 CFR 1.136(a): <input type="checkbox"/> One month of original due date (\$110.00) <input type="checkbox"/> Two months of original due date (\$430.00) <input type="checkbox"/> Three months of original due date (\$880.00) <input type="checkbox"/> Four months of original due date (\$1,530.00) <input type="checkbox"/> Five months of original due date (\$2,080.00) <input type="checkbox"/> A response in connection with the matter for which this extension is requested: <input type="checkbox"/> is filed herewith. <input type="checkbox"/> has been filed. <input type="checkbox"/> The response is the filing of a continuing prosecution application, the prior application having an express abandonment conditioned on the granting of a filing date to the continuing application. <input type="checkbox"/> The accompanying papers include amended claims for which no additional fee is required. <input checked="" type="checkbox"/> The accompanying papers include amended claims the fee for which has been calculated as follows:						
CLAIMS AS AMENDED						
(1)	(2) Claims remaining	(3)	(4) Highest number Previously paid for	(5) No. of Extra claims present	(6) Rate	(7) Additional Fee
Total Claims	14	Minus	20	=	0	x \$18 = \$ 0.00
Indep. Claims	9	Minus	5	=	4	x \$88 = 440.00
First Appearance of a multiple dependent claim					+	\$300 = 0.00
Total Additional Fee for this Amendment					\$440.00	
* If the entry in column 2 is less than the entry in column 4, write "0" in column 5. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space. *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col 1. of a prior amendment or the number of claims originally filed. <input type="checkbox"/> The following other fees are incurred by the accompanying papers. <input type="checkbox"/> Other: _____ <input checked="" type="checkbox"/> Please charge Deposit Account No. 09-0089 in the name of Immunex Corporation in the amount of \$440.00 a duplicate copy of this petition is attached. <input type="checkbox"/> If an additional extension of time is required, please consider this a request therefore. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required by the accompanying papers, or credit any overpayment to Deposit Account No. 09-0089.						
Please Send Future Correspondence To:						
Immunex Corporation Law Department 1201 Amgen Court West Seattle, Washington 98119-3105 (206) 265-7000			 James E. Danilecki Attorney/Agent for Applicant(s) Registration No.: 38,207 Phone: (208) 265-7145 Date: October 25, 2004			

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on the date indicated below.

Signed: 
 Nancy M. Kertson

Date: Oct. 25, 2004

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PTO/SB/20 Revised (9/20/00)
Approved for use through 10/20/04 OMB 0561-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTALSubsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/488,728
Filing Date	January 20, 2000
First Named Inventor	Anthony B. Troutt
Group / Art Unit	1846
Examiner Name	D. Jiang
Attorney Docket No.	2623-B

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (i) (PTO/SB/20) instead of a RCE to be eligible for the patent term adjustment provision of the AIPA. See Changes to Application Examination and Provisional Application Practice Interim Rule, 65 Fed. Reg. 14885 (Mar. 20, 2000), 65 Fed. Reg. 14885 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other: Publication

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

- The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- a. ☒ The Commissioner is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 09-0089
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) in the amount of \$790.00.
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) in the amount of \$980.00. If an additional extension of time is required, please consider this a request therefor.
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$_____ is enclosed.
- c. ☐ Payment by credit card (Form PTO-2034 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED

NAME (Print/Type)	James E. Klaniecki	Registration No. (Attorney/Agent)	38,207
SIGNATURE		Date:	October 25, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

NAME (Print/Type)	Nanci M. Kertson
SIGNATURE	
Date:	Oct. 25, 2004

Burdon Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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PAGE 2/17 * RCVD AT 10/25/2004 7:14:43 PM [Eastern Daylight Time] * SVR:USPTO-EFXXF-1/2 * DNIS:8729306 * CSID:206 233 0644 * DURATION (mm-ss):07-16

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